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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CITY OF SAN JOSE, et al.,
Plaintiffs,

v.

OFFICE OF THE COMMISSIONER OF
BASEBALL, et al.,
Defendants.

Case No. [13-cv-02787-RMW](#)

**ORDER DENYING MOTION TO
RELATE**

Re: Dkt. No. 64

On February 11, 2015, defendants Office of the Commissioner of Baseball, Allan Huber “Bud” Selig, and twenty-nine of the thirty Major League Baseball clubs move to relate *Miranda et al. v. Office of the Commissioner of Baseball et al.*, Case No. 3:14-cv-5349 to either: (1) the above captioned case (“City of San Jose”); or (2) *Senne, et al. v. Office of the Commissioner of Baseball*, Case No. 3:14-cv-00608-JCS. Dkt. No. 64. Plaintiffs in the *Senne* case filed a response, in which they argue that the *Miranda* and *Senne* cases should not be related. Dkt. No. 66. Neither the plaintiffs in *City of San Jose* nor in *Miranda* have responded. For the reasons set forth below, the court denies defendants’ motion to relate.

I. CITY OF SAN JOSE AND MIRANDA

Under Local Rule 3-12(a), “an action is related to another when: (1) The actions concern substantially the same parties, property, transaction or event; and (2) It appears likely that there will be an unduly burdensome duplication of labor and expense or conflicting results if the cases are conducted before different Judges.” Defendants argue that the *City of San Jose* and *Miranda* ORDER DENYING MOTION TO RELATE

[13-cv-02787-RMW](#)

1 cases both accuse Major League Baseball of restraining competition in violation of federal
2 antitrust laws. Dkt. No. 65, at 2. According to defendants, “[b]oth actions turn on the same
3 determinative legal question—whether the Supreme Court’s longstanding antitrust exemption
4 continues to apply to ‘the business of baseball.’” *Id.* Defendants conclude that because the cases
5 revolve around the same “determinative legal question,” “it appears likely that there will be an
6 unduly burdensome duplication of labor and expense or conflicting results if the cases are
7 conducted before different judges.” *Id.* at 2–3. The court disagrees.

8 Although both *City of San Jose* and *Miranda* generally involve the application of the long-
9 standing baseball antitrust exemption, this is where the similarities end. The cases arise from
10 different “property, transaction[s] or event[s],” do not involve “substantially the same parties,” and
11 implicate different legal questions. Civ. L. R. 3-12(a).

12 First, whereas *City of San Jose* arose out of the proposed relocation of the Oakland
13 Athletics Baseball Club from Oakland to San Jose, *see* Dkt. No. 41, *Miranda* challenges Major
14 League Baseball’s practices regarding the compensation of minor league professional baseball
15 players, including the use of reserve clauses in minor league players’ contracts, *see* Case No. 3:14-
16 cv-5349, Dkt. No. 1.

17 Second, while Major League Baseball and its member franchises are defendants in both the
18 *City of San Jose* and *Miranda* cases, the cases involve different plaintiffs and plaintiffs’ counsel.
19 *City of San Jose* was brought by the City of San Jose and the San Jose Diridon Development
20 Authority based on Major League Baseball’s failure to approve the proposed relocation of the
21 Oakland Athletics to San Jose. Dkt. No. 41, at 4. By contrast, *Miranda* was brought by several
22 minor league baseball players on behalf of a class comprised of all minor league baseball players
23 employed by defendant Major League Baseball franchise clubs. *see* Case No. 3:14-cv-5349, Dkt.
24 No. 1, at 9–10.

25 Third, the cases involve different applications of baseball’s antitrust exception. The
26 *Miranda* case challenges the legality of the antitrust exemption’s application to minor league
27 players and the reserve clause in their contracts, which is the subject of several Supreme Court
28 ORDER DENYING MOTION TO RELATE
13-cv-02787-RMW

1 decisions. See *Federal Base Ball Club of Baltimore, Inc. v. National League of Professional Base*
2 *Ball Clubs*, 259 U.S. 200 (1922); *Toolson v. New York Yankees, Inc.*, 346 U.S. 356 (1953); *Flood*
3 *v. Kuhn*, 407 U.S. 258 (1972). *City of San Jose*, on the other hand, involved the question of
4 whether club relocation is a part of the “business of baseball” subject to the Supreme Court’s
5 holdings in *Federal Baseball*, *Toolson*, and *Flood*. See Dkt. No. 41, at 3. While defendants are
6 correct that both cases ultimately turn on the application of the baseball antitrust exemption, the
7 specific legal issues are largely distinct.

8 Accordingly, because the court finds that *City of San Jose* and *Miranda* involve different
9 issues, parties, and facts, the court concludes that the cases should not be related. Defendants’
10 motion to relate *City of San Jose* and *Miranda* is therefore denied.

11 **II. SENNE AND MIRANDA**

12 The question of whether to relate the *Miranda* and *Senne* cases is not properly before this
13 court. Under Civil Local Rule 3-12(f), which governs the order in which the relationship between
14 more than two cases should be evaluated, the proper procedure is as follows. First, the judge
15 assigned to the lowest-numbered case decides whether there exists a relationship between the
16 lowest-numbered case and the potentially related case. Civ. L. R. 3-12(f)(2). Next, “the judges
17 assigned to the other cases in order of filing” decide whether relation is proper.

18 Here, because *City of San Jose* is the lowest-numbered case, the undersigned must first
19 determine whether to relate *Miranda* to *City of San Jose* before Judge Spero, who is assigned to
20 *Senne*, can determine whether *Senne* and *Miranda* should be related. See Civ. L. R. 3-12(f)(2). As
21 discussed above, the court declines to relate *City of San Jose* and *Miranda*.

22 For the reasons set forth above, defendants’ motion to relate *City of San Jose* and *Miranda*
23 is denied. The court takes no position on whether *Senne* and *Miranda* should be related.

24 **IT IS SO ORDERED.**

25 Dated: March 2, 2015


Ronald M. Whyte
United States District Judge

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28 ORDER DENYING MOTION TO RELATE
13-cv-02787-RMW